

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re	:	Chapter 11
	:	
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:	Case No. 08-13555 (JMP)
	:	
Debtors.	:	(Jointly Administered)
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**SUPPLEMENTAL AFFIDAVIT AND DISCLOSURE STATEMENT OF  
KEVIN M. NEWMAN  
ON BEHALF OF MENTER, RUDIN & TRIVELPIECE, P.C.**

STATE OF NEW YORK            )  
COUNTY OF ONONDAGA        )    ss.:

KEVIN M. NEWMAN, being duly sworn, upon his oath, deposes and says:

1. I am an attorney licensed to practice in the State of New York and a shareholder of Menter, Rudin & Trivelpiece, P.C. located at 308 Maltbie Street, Suite 200, Syracuse, New York 13204-1498 (the "Firm").

2. On November 10, 2008, I executed an Affidavit and Disclosure Statement (the "Affidavit") in support of Lehman Brothers Holdings Inc. and its affiliated debtors in the above-referenced Chapter 11 cases (together, the "Debtors") retention of Menter, Rudin & Trivelpiece, P.C. as ordinary course professionals to provide legal services with respect to third-party bankruptcy cases where the Debtors are creditors or are secured creditors of other creditors and submitted that Affidavit and a completed Retention Questionnaire (the "Questionnaire") to the Debtors' bankruptcy counsel. The Debtors subsequently filed the Affidavit and Questionnaire with the Court on November 18, 2008 [Docket No. 1569] in accordance with the procedures set forth in the order entered November 5, 2008 authorizing the Debtors to employ professionals utilized in the ordinary course of business [Docket No. 1394].

3. Subsequent to that filing, the Debtors requested that the Firm expand the scope of its retention to include:

- a. The commencement and prosecution of a mortgage foreclosure action in connection with a Consolidated, Amended and Restated Mortgage Note dated January 30, 2007 in the amount of \$14,600,000, a Mortgage Spreader Agreement dated January 30, 2007, a Gap Mortgage, Assignment of Leases and Rents and Security Agreement dated January 30, 2007 in the amount of \$7,132,146.73, a Consolidated, Amended and Restated Mortgage, Assignment of Leases and Rents and Security Agreement dated January 30, 2007 in the amount of \$12,850,000, and a Mortgage, Assignment of Leases and Rents and Security Agreement dated July 31, 2007 in the amount of \$1,750,000; and
- b. Limited representation of the Debtors in an action entitled: *Richard Bidlake v. Wendover Financial Services Corporation, Lehman Brothers Holdings, Inc. and Lehman Capital Corporation*, pending in the Supreme Court of the State of New York, County of Onondaga, bearing Index No. 2010-0899 and R.J.I. No. 33-10-0620,

(collectively the "Additional Services").

4. The Firm has consented to provide such Additional Services. Therefore, by this Supplemental Affidavit the Firm supplements the previous Affidavit to include the Additional Services.

/s/Kevin M. Newman  
KEVIN M. NEWMAN, on behalf of  
Menter, Rudin & Trivelpiece, P.C.

Subscribed and sworn to before me  
this 20<sup>th</sup> day of April, 2010.

/s/Audrey A. Vrooman  
Notary Public – State of New York  
Qual. in Onondaga Cty., No. 01VR4762616  
Commission Expires July 31, 2010